

**REMARKS**

Claims 2, 3 and 5 to 19 are all the claims pending in the application.

The Advisory Action indicates that the Amendment filed October 28, 2005 was not entered because the amendments to the claims raise new issues that would require further consideration and/or search by the Examiner. Applicants have filed concurrently herewith a Request for Continued Examination (RCE) to gain entry and consideration of the Amendment of October 28, 2005.

In the Advisory Action, the Examiner states that the amendment to claim 2 in the Amendment of October 28, 2005 raises a 112 (2<sup>nd</sup> paragraph) issue with respect to claim 5 because according to the Examiner the composite crystal system of fine particles of claim 5 requires both the anatase and brookite crystal forms whereas the independent claim (claim 2) requires the titanium dioxide fine particles to be a brookite crystal form only.

In response, applicants have amended claim 5 to place it in independent form to state that the titanium dioxide fine particles is a composite crystal-system of anatase and brookite.

Applicants submit that Taoda et al and Suzuki et al do not defeat the patentability of the present claims and, accordingly, request withdrawal of the rejections that remain in the application.

Taoda et al only disclose the anatase crystal form of titanium dioxide, at column 3, lines 55 to 59, and fail to disclose the brookite form of claim 2, or the composite crystal-system of anatase and brookite of claim 5. Since Taoda et al only disclose the anatase form, the structure of the particles of the presently claimed invention is completely different from that of Taoda et

AMENDMENT UNDER 37 C.F.R. § 1.114(c)  
U.S. Patent Application No.: 10/725,327

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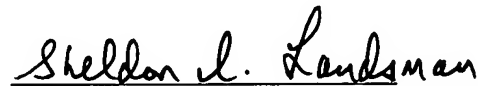
al, and the particles of Taoda et al do not inherently have the properties of the presently claimed particles.

In view of the above, applicants submit that Taoda et al and Suzuki et al do not defeat the patentability of the present claims and, accordingly, request withdrawal of these rejections.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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**23373**

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